IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 26TH OCTOBER 2006 / 4TH KARTHIKA 1928

Bail Appl..No. 6071 of 2006()

CMP.4753/2006 of J.M.F.C.,THIRUVALLA
CRIME NO.179/2006 OF KEEZHVAIPUR POLICE STATION.

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PETITIIONER/ACCUSED

BINOY THOMAS, AGED 21,
S/O.THOMAS, MATTACKAMALAYIL HOUSE,
ANIKAD VILLAGE, MALLAPPALLY TALUK, PATHANAMTHITTA
DISTRICT.

BY ADV. SRI.JOSEPH GEORGE

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY THE S.I. OF POLICE,
KEEZHUVAIPUR POLICE STATION,
PATHANAMTHITTA DISTRICT BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6071 of 2006

Dated this the 26th October, 2006.

O R D E R

Petitioner is the accused in Crime No.179/2006 of Keezhvaipur Police Station, Pathanamthitta District, for the offence punishable under Section 366 IPC. It is alleged that the petitioner has abducted two minor girls, aged about 15 and 14, travelled in different places, and thereafter were arrested at Kambam in Idukki District. Medical examination of the girls were conducted. I have gone through the medical examination report. The final opinion about the rape of the minor girls are reserved for want of chemical analysis report of the specimens taken and sent for analysis. Petitioner was arrested on 27.9.2006, and he remains in judicial custody from 28.9.2006 onwards.

2. The learned counsel appearing for the petitioner submitted that the petitioner is studying for Hotel Management in a private institution at Ernakulam. It is also submitted that he may be released on bail, so that he could attend his classes.

3. The learned Public Prosecutor, on the other hand, submitted that the facts reveal and indicate the active involvement of the petitioner. However, considering that the petitioner is studying for Hotel

Management, and he is at Ernakulam, I allow this application, grant bail to the petitioner, and release him from jail, subject to the following conditions:-

i) The petitioner shall execute a bond for Rs.20,000/= (Rupees Twenty Thousand only) with two solvent sureties, each for the like sum, to the satisfaction of the Judicial First Class Magistrate Court, Thiruvalla.

ii) The petitioner shall report before the Investigating Officer, once in a week, on every Sunday, starting from 29.10.2006, between 10 and 10.30 a.m., for a period of three months, and thereafter, on the first Sunday of every month, between the same timings, till the completion of the investigation, and filing of the final report before the court below.

iii) The petitioner shall not leave the State of Kerala, till the completion of the trial and final disposal of the sessions case.

iv) The petitioner shall not interfere with the investigation, attempt to influence or threaten the witnesses, or cause any hindrance for the smooth conduct of the case.

J.M. JAMES,
JUDGE

nj.